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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/388,729 02/15/95 ALBERT

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EXAMINER

ZIMMERMAN, B

B2M1/0717

ART UNIT

PAPER NUMBER

5

SEED AND BERRY  
6300 COLUMBIA CENTER  
SEATTLE WA 98104-7092

2211

DATE MAILED:

07/17/96

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 5/13/96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s),        days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.                 | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/> _____   |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-59 are pending in the application.

Of the above, claims 1-12, 50-59 are withdrawn from consideration.

2. ☐ Claims \_\_\_\_\_ have been cancelled.

3. ☐ Claims \_\_\_\_\_ are allowed.

4. ☒ Claims 13-49 are rejected.

5. ☐ Claims \_\_\_\_\_ are objected to.

6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

### **INFORMALITIES**

1. Applicant's election without traverse of Group II (claims 13-49) in Paper No. 4 is acknowledged.

### **ART REJECTION**

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

3. Claims 13-15,20,28-30,43-45,48,49 are rejected under 35 U.S.C. § 103 as being unpatentable over Rogge and Dieleman. Rogge shows a financial transaction system with a transaction device which communicates to authorization processor by sending financial transaction signals and receiving authorization/denial signals from the authorization signals. Rogge shows the communication channel to be a PSTN line with modems.

In an analogous art, Dieleman shows a financial system. Dieleman shows the

equivalence of a wireless communication media and a conductor or a fiber for communication system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized a wireless transmission system to convey the signals in the Rogge system since a wireless transmission system is a known equivalent which the artisan would recognize does not need expensive wires.

Regarding the first, second and third communication means, the host computer, these elements read on a repeater or gateway. Both of which are common in the art of communication networks, and are advantageous in making systems cooperative with each other. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized first, second, third communication means and host computers (for gateways) to interconnect various information networks together and convey information to each other.

4. Claims 16-27,31-42,46,47 are rejected under 35 U.S.C. § 103 as being unpatentable over Rogge and Dieleman as applied to claims 13,28,43 above, and further in view of common knowledge in the art. The examiner takes official notice that the devices claimed (claims 16,17,31,32,46,47) are well known devices equivalent to the devices taught by Rogge. The examiner takes official notice that the networks claimed (claims 19-27,34-42) are well known networks equivalent to the networks taught by Rogge. Furthermore, the extent of disclosure the applicant provides is

evidence of the fact that the applicant believes that the types of network (or types of device) are known to the artisan. The applicant has not invented these specific networks (or devices). Regarding claims 18,33, the references, discussed above, discloses the claimed invention except for having the claimed elements in a single computer system. It would have been obvious to one having ordinary skill in the art at the time the invention was made to place all these elements in a single computer, since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized any of the claimed networks (or devices) in the above modified system since that would have been equivalents to the elements used in the above modified system.

#### **OTHER PRIOR ART CITED**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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**CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Zimmerman whose telephone number is (703) 305-4796.

5 Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4900.

10 **Brian Zimmerman  
Primary Examiner  
Art Unit 2211**

baz  
703-305-4796

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